

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09-cr-00126-RJC

USA,	)	
	)	
Plaintiff,	)	<u>ORDER</u>
	)	
vs.	)	
	)	
MANUEL GREGORY RUSHING,	)	
Defendant.	)	

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**THIS MATTER** is before the Court upon motion of the defendant to reconsider the imposition of court-appointed counsel fees. (Doc. No. 27).

The Court sentenced the defendant on November 16, 2010, and entered its Judgment on November 29, 2010. (Doc. No. 24). As part of the sentence, the Court ordered the defendant to pay \$500 towards the cost of his court-appointed attorney. (Id. at 4). The defendant did not appeal his conviction or sentence; therefore, the Judgment became final on or about December 13, 2010. Fed. R. App. P. 4(b) (2008); United States v. Clay, 537 U.S. 522, 525 (2003) (conviction becomes final when time runs for seeking appellate review). The defendant has not shown that the Court has the authority to alter the final Judgment, Fed. R. Crim. P. 35, or to remit the financial obligation on his motion, 18 U.S.C. § 3573 (allowing modification or remission of fine or special assessment on government's motion).

**IT IS, THEREFORE, ORDERED**, that the defendant's Motion to Reconsider Court-Appointed Counsel Fees (Doc. No. 27) is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: June 18, 2013

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

